

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

**In Re:**  
  
**WBY, INC., a/k/a FOLLIES**  
  
**Debtor,**

CHAPTER 11  
  
CASE NO. 16-52291-JRS

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**LIMITED OBJECTION TO JOINT MOTION TO APPROVE  
SETTLEMENT AGREEMENT AND COMPROMISE OF CLAIMS**

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COMES NOW Claimant Brezzy Hurst (hereinafter “Ms. Hurst” or “Claimant”), who files this Limited Objection to Joint Motion to Approve Settlement Agreement and Compromise of Claims [Docket No. 119] and who shows the Court as follows:

1. Ms. Hurst files this Limited Objection is filed as a precaution given the arguable similarity of the claims being settled and the claims of Ms. Hurst.
2. Ms. Hurst does not wish to be included in this proposed settlement and does not wish to be an “Opt-In Plaintiff.” However, it is unclear what the treatment of her claim and the “Opt-Out Plaintiffs” will be in the proposed Plan that the Debtor is required to file “promptly.”
3. Ms. Hurst anticipates that the proposed Plan will be objectionable pursuant to 11 U.S.C. § 1129. Therefore, this Limited Objection is filed to preserve her right to file such a plan objection and to clarify that she in no way waives any right to object to a Plan that is consistent with the proposed Settlement Agreement.

For the foregoing reasons, Ms. Hurst requests that any Orders entered by the Court approving the Settlement Agreement clearly preserve her right to oppose any proposed Plan that is consistent with the Settlement Agreement and contain language that clarifies the treatment of the “Opt-Out Plaintiffs.”

Respectfully submitted, this 9<sup>th</sup> day of September 2016.

OGIER, ROTHSCHILD & ROSENFELD, P.C.

By: /s/ Tamara Miles Ogier  
Tamara Miles Ogier  
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**CERTIFICATE OF SERVICE**

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This is to certify that I have this day served a copy of the foregoing Limited Objection to Joint Motion to Approve Settlement Agreement and Compromise of Claims by depositing them in the United States Mail, postage prepaid and addressed to:

Edward F. Danowitz, Jr. *(Also served by email September 9, 2016)*  
Danowitz & Associates, P.C.  
300 Galleria Parkway, NW  
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Karen L. Kropp *(Also served by email September 9, 2016)*  
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WBY, Inc  
c/o Surrey White, President  
4075 Buford Hwy.  
Atlanta, GA 30345

Thomas Wayne Dworschak *(Also served by email September 9, 2016)*  
Office of the U. S. Trustee  
Room 362  
75 Ted Turner Drive, SW  
Atlanta, GA 30303

Lisa Wolgast, Esq. (*Also served by email September 9, 2016*)  
Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, N.E.  
Atlanta, Georgia 30326

Dated: September 9, 2016

OGIER, ROTHSCHILD & ROSENFELD, P.C.

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